



13281 U.S. PTO



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PATENT
Attorney Docket 046124-5042-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent and Trademark Office
Mail Stop Patent Application
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

CONTINUATION PATENT APPLICATION TRANSMITTAL
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a Continuation patent application under 37 C.F.R. § 1.53(b).

1. This application is a Continuation Patent Application under 37 C.F.R. § 1.53 of pending prior application No. 09/646,785 filed on February 16, 2001 of:

Inventors: 1. Tadamitsu Kishimoto, Osaka, Japan
2. Takashi Nagasawa, Osaka, Japan
3. Kazunobu Tachibana, Osaka, Japan

For: **Vascularization Inhibitors**

Prior Application: 09/646,785
Examiner: Gary B. Nickol
Group Art Unit: 1642

2. The papers enclosed are as follows:

A new continuation application:

63 Pages of specification including
57 Pages of description
05 Pages of claims
01 Page of the Abstract of the Disclosure
09 Pages of Sequence Listing
09 Sheets of Drawings (Figures 1-13)

3. Oath or Declaration: A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

4. Relate Back (35 U.S.C. § 120): Please see the attached Preliminary Amendment.

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5. Assignment: The prior application is assigned of record to Chugai Seiyaku Kabushiki Kaisha at Reel/Frame 011534/0206 on February 16, 2001.
6. Extension of Time in Parent Application No. 09/646,785: For the purpose of maintaining copendency between Application No. 09/646,785 and the present application, Applicants petition for a three month extension of time from November 26, 2003 to February 26, 2004, the fee for which is **\$950.00** as set out in 37 C.F.R. § 1.17(a). If Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a Petition therefor and the Commissioner is authorized to charge the necessary fees for such an extension to Deposit Account No. 50-0310.
7. Amendments: Prior to calculation of the application filing fee, please see the attached Preliminary Amendment amending claims 5-8, 19-23 and 25-27, canceling claim 24, and adding new claims 28-30.
8. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS FOR FEE CALCULATION				
	Number Filed	Extra	at Rate of	Basic Fee \$770.00
Total Claims	29 - 20	9	\$ 18.00 each =	+\$162.00
Independent Claims	10 - 3	7	\$ 86.00 each =	+\$602.00
Multiple dependent claims			\$290.00	+\$00.00
Sub-total =				\$1,534.00
Reduction by ½ for filing by a small entity				
Total Filing Fee =				\$1,534.00

9. Fee Payment: The Commissioner is authorized to charge **\$2,484.00** to Deposit Account No. 50-0310 for payment of the continuation application filing fee (\$770.00), the additional total claims fee (\$162.00), the additional independent claims fee (\$602.00), and the three-month extension of time fee for Application No. 09/646,785 (\$950.00).
10. Additional Papers Filed:
 - (i) Copy of Declaration
 - (ii) Preliminary Amendment
 - (iii) Copy of recorded Assignment
 - (iv) Statement Accompany Substitute Sequence Listing
 - (v) Substitute Sequence Listing (8 pages)
 - (vi) Computer Diskette with Substitute Sequence Listing
11. The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and

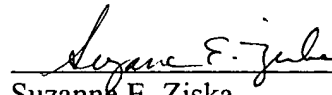
Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number. Please address all correspondence to Morgan, Lewis & Bockius LLP at Customer No. 009629.

12. **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Please accord this new U.S. Continuation Application a serial number and filing date.

Dated: February 25, 2004
Morgan, Lewis & Bockius LLP
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Respectfully submitted,
Morgan, Lewis & Bockius LLP



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